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#### NOTICE OF ALLOWANCE AND FEE(S) DUE

7590

03/08/2002

Charles J Kulas Townsend and Townsend and Crew LLP Two Embarcadero Center 8th Floor San Francisco, CA 94111 EXAMINER

LEWIS, DAVID LEE

ART UNIT CLASS-SUBCLASS

2673 345-156000

DATE MAILED: 03/08/2002

	APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
•	09/523,407	03/10/2000	David H Straayer	18513-13-1	4644

TITLE OF INVENTION: AUTO-CALIBRATION OF POINTING DEVICES USED IN A COMPUTER USER INTERFACE

TOTAL CLAIMS	APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
4	nonprovisional	YES	\$640	\$0	\$640	06/10/2002

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. <u>PROSECUTION ON THE MERITS IS CLOSED.</u> THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE REFLECTS A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE APPLIED IN THIS APPLICATION. THE PTOL-85B (OR AN EQUIVALENT) MUST BE RETURNED WITHIN THIS PERIOD EVEN IF NO FEE IS DUE OR THE APPLICATION WILL BE REGARDED AS ABANDONED.

#### HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above. If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

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B. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

If the SMALL ENTITY is shown as NO:

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- B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check the box below and enclose the PUBLICATION FEE and 1/2 the ISSUE FEE shown above.
  - ☐ Applicant claims SMALL ENTITY status. See 37 CFR 1.27.
- II. PART B FEE(S) TRANSMITTAL should be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). Even if the fee(s) have already been paid, Part B Fee(s) Transmittal should be completed and returned. If you are charging the fee(s) to your deposit account, section "4b" of Part B Fee(s) Transmittal should be completed and an extra copy of the form should be submitted.
- III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

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CURRENT CORRESPONDENCE ADDRESS once Legisly markey with any connectors or see flieks 1) 7599 0,008/2002 Charles J Kulas Townsend and Townsend and Crew LLP Two Embaracidero Centre 8th Floor San Francisco, CA 94111  APPLICATION NO. FILING DATE FIRST NAMED INVESTOR ACTION OF POINTING DEVICES USED IN A COMPUTER USER INTERFACE  TOTAL CLAIMS APPLY TYPE SMALL ENTITY ISSUE FEE PUBLICATION FEE TOTAL FEE(s) DUE DATE DUE 4 nonprovisional YES \$40 S0 \$640 06/10/2002  EXAMINER ART UNIT CLASS-SURCLASS LEVIS, DAVID LEE 2/373 345-156000  1. Change of correspondence address or indication of "Fee Address" (37) Change of correspondence address or indication form PTO/SB/12/3) attached.  2. Change of correspondence address or indication of "Fee Address" (37) Change of correspondence address or indication of "Fee Address" (37) Change of correspondence address or indication of "Fee Address" (37) Change of correspondence address or indication of "Fee Address" (37) Change of correspondence address or indication of "Fee Address" (37) Change of correspondence address or indication of "Fee Address" (37) Change of correspondence address or indication of "Fee Address" (37) Change of correspondence address or indication of "Fee Address" (37) Change of correspondence address or indication of "Fee Address" (37) Change of correspondence address or indication of "Fee Address" (37) Change of correspondence address or indication of "Fee Address" (37) Change of correspondence address or indication form PTO/SB/12/3) attached.  3. ASSIGNEE MILIPATO or the being submitted tuelter expendence address or indication of "Fee Address" (48) Change of correspondence address or indication form PTO/SB/12/3) attached.  4. Daylor of correspondence address or indication form PTO/SB/12/3) attached.  5. Change of correspondence address or indication form PTO/SB/12/3) attached.  6. Change of correspondence address or indication form PTO/SB/12/3) attached.  6. Change of correspondence address or indication form PTO/SB/12/3) attached.  6. Change of correspondence addres	where appropriate. All fi indicated unless correct maintenance fee notifica	ed below or directed ot	ncluding the Patent, advitherwise in Block 1, by	ance orders and no (a) specifying a r	tification of	of maintenance fees waspondence address; an	ill be mailed to the currer id/or (b) indicating a sep	at correspondence address as arate "FEE ADDRESS" for	
Charles J Kullas Townsend and Townsend and Crew LLP Two Embarcadero Center 8th Floor San Francisco, CA 94111  APPLICATION NO. FILING DATE FIRST NAMED INVENTOR ATTORNEY DOCKET NO.  O9523,407 03/10/2000 David H Straayer 18513-13-1 4644  TITLE OF INVENTION: AUTO-CALIBRATION OF POINTING DEVICES USED IN A COMPUTER USER INTERFACE  TOTAL CLAIMS APPLN. TYPE SMALL ENTITY ISSUE FEE PUBLICATION FEE TOTAL FEE(S) DUE DATE DUE 4 nonprovisional YES \$540 \$50 \$6440 06/10/2002  EXAMINER ART UNIT CLASS-SUBCLASS  LEWIS, DAVID LEE 2673 345-155000  L'Change of correspondence address or indication of "Fee Address" (27 class) and computed of the provision of the Computer of the page of the pag			oly mark-up with any correction	ns or use Block 1)	N	ote: The certificate	of mailing below can or	nly be used for domestic	
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Two Embarcadero Center 8th Floor San Francisco, CA 94111    Compared to the Box Indicated below.	Charles J Kulas				or	formal drawing, mus	have its own certificate of	of mailing.	
San Francisco, CA 94111  APPLICATION NO. FILING DATE FIRST NAMED INVENTOR ATTORNEY DOCKET NO. CONFIRMATION NO. 09/532,407 03/10/2000 David H Strasyer 18313-13-1 4644  TITLE OF INVENTION: AUTO-CALIBRATION OF POINTING DEVICES USED IN A COMPUTER USER INTERFACE  TOTAL CLAIMS APPLINTYPE SMALL ENTITY ISSUE FEE PUBLICATION FEE TOTAL FEE(S) DUE DATE DUE 4 nonprovisional YES \$640 S0 \$640 06/10/2002  EXAMINER ART UNIT CLASS SUBCLASS  LEWIS, DAVID LEE 2673 345-156000  Change of correspondence address or indication of "Fee Address" (17 CFR 1.560.) Lee of PTO Grn(s) and Customer Number are recommended, but not required.  Change of correspondence address of continuous and the patent from page, list (1) the numes of up to 1 registered patent automory or agents of microsion of "Fee Address" indication (or "Fee Address" indication form FTO/SB/122) attached.  1. Change of correspondence address of or Change of Correspondence Address from PTO/SB/1223 attached.  1. Change of correspondence address from Customer Number are recommended, address from PTO/SB/1223 attached.  1. Change of correspondence address from Customer Number are recommended. Address from PTO/SB/1223 attached.  1. Change of correspondence address for Change of Correspondence address from PTO/SB/1223 attached.  1. Change of correspondence address from Customer Number are recommended. Address from PTO/SB/1223 attached.  1. Change of correspondence address in dictation form is instead, no name will be printed.  3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)  PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment and the patent inclusion of assignee data is only appropriate when an assignment is instead, no name will be printed on the patent. Inclusion of assignee data is only	Townsend and T	Townsend and Crev	v LLP		_				
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APPLICATION NO. FILING DATE FIRST NAMED INVENTOR ATTORNEY DOCKET NO. CONFIRMATION NO. 09752, 407 03710/2000 DAVID 18513-13-1 4644  TITLE OF INVENTION: AUTO-CALIBRATION OF POINTING DEVICES USED IN A COMPUTER USER INTERFACE  TOTAL CLAIMS APPLN TYPE SMALL ENTITY ISSUE FEE PUBLICATION FEE TOTAL FEE(S) DUE DATE DUE 4 nonprovisional YES \$640 \$0 \$640 06/10/2002  EXAMINER ART UNIT CLASS-SUBCLASS LEWIS, DAVID LEE 2673 345-156000  1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363) Use of PTO form(6) and Customer Number are recommended, but not required.  1. Change of correspondence address of indication of "Fee Address" (37 CFR 1.363) Use of PTO form(6) and Customer Number are recommended, but not required.  1. Change of correspondence address of indication of "Fee Address" (37 CFR 1.363) Use of PTO form(6) and Customer Number are recommended, but not required.  1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363) Use of PTO form(6) and Customer Number are recommended, but not required.  1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363) Use of PTO form(6) and Customer Number are recommended, but not required.  1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363) Use of PTO form(6) and Customer Number are recommended, but not required patent attorneys or agents. In on name 1 compared to the USP (17 CFR 1.363) Use of PTO form(6) and Customer Number are recommended attorney or agents of pto 3 registered patent attorneys or agents. In on name 2 compared to the USP (17 CFR 1.363) Use of PTO form (17 CFR 1.363) U	San Francisco, C	CA 94111				dicated below.		(Depositor's name)	
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4 nonprovisional YES \$640 \$0 \$640 06/10/2002  EXAMINER ART UNIT CLASS-SUBCLASS  LEWIS, DAVID LEE 2673 345-156000  1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363). Use of PTO form(s) and Customer Number are recommended, but not required.    Change of correspondence address or indication of "Fee Address" (37 capts of R., alternative), Use of PTO form(s) and Customer Number are recommended, but not required.    Change of correspondence address or Change of Correspondence Address from PTO/SB/1/22) attached.    Change of correspondence address or Change of Correspondence Address from PTO/SB/1/22) attached.    Change of correspondence address or Change of Correspondence Address from PTO/SB/1/22) attached.    Change of correspondence address or Change of Correspondence Address from PTO/SB/1/22) attached.    Change of correspondence address or Change of Correspondence Address from PTO/SB/1/22) attached.    Change of correspondence address or indication form provides from the patent attached to the Correspondence address or indication form provides from the patent attached to single firm (having as a member a registered patent attorneys or agents. If no name is listed, no name will be printed.    Assigned NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)   PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent, Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.    Assigned NAME OF ASSIGNEE   PATENT OF COUNTRY	TITLE OF INVENTION	I: AUTO-CALIBRATIO	ON OF POINTING DE	VICES USED IN A	A COMPL	ITER USER INTERF	ACE		
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LEWIS, DAVID LEE  2673  345-156000  1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.563). Use of PTO form(s) and Customer Number are recommended, but not required.  Change of correspondence address (or Change of Correspondence Address from PTO/SB/122) attached.  Change of correspondence address (or Change of Correspondence Address from PTO/SB/122) attached.  Change of correspondence address (or Change of Correspondence Address from PTO/SB/122) attached.  Change of correspondence address (or Change of Correspondence Address from PTO/SB/122) attached.  Change of correspondence address (or Change of Correspondence Address from PTO/SB/122) attached.  Change of correspondence address (or Change of Correspondence Address from PTO/SB/122) attached.  Change of correspondence address or indication form gents from PTO/SB/122) attached.  Change of correspondence address or indication from gents from PTO/SB/122 attached.  Change of correspondence address or indication from gents from PTO/SB/122 attached.  Change of correspondence address or indication from gents from PTO/SB/122 attached.  Change of correspondence address or indication from gents from PTO/SB/122 attached.  Change of correspondence address from PTO/SB/122 attached.  Change of correspondence attached.  Change of correspondence address from PTO/SB/122 attached.  Change of correspondence address from PTO/SB/122 attached.  Change of correspondence address from PTO/SB/122 attached.  Change of correspondence attached.  Change of correspondence address from PTO/SB/122 attached.  Change of correspondence attached.  Change of correspondence address from PTO/SB/122 attached.  Change of correspondence attached.  Change of correspondence attached.  Change of correspondence attached.  Change of corresponden				<u> </u>				<u> </u>	
LEWIS, DAVID LEE  2673  345-156000  1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363). Use of PTO form(s) and Customer Number are recommended, but not required.  2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents DR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents R, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.  3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)  PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.  (A) NAME OF ASSIGNEE  (B) RESIDENCE: (CITY and STATE OR COUNTRY)  Please check the appropriate assignee category or categories (will not be printed on the patent) individual corporation or other private group entity of government and the private proposition of the fee(s) is enclosed.    Department by credit card. Form PTO-2038 is attached.   Payment by credit card. Form PTO-2038							•	****	
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□ Issue Fee □ Publication Fee □ Advance Order - # of Copies □ The Commissioner is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number	Please check the appropr	iate assignee category o	r categories (will not be	printed on the pate	ent)	☐ individual ☐ corp	oration or other private g	roup entity 🚨 government	
□ Publication Fee □ Advance Order - # of Copies □ The Commissioner is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number (enclose an extra copy of this form).  The COMMISSIONER OF PATENTS AND TRADEMARKS is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.  (Authorized Signature) (Date)  NOTE; The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in	4a. The following fee(s)	are enclosed:		4b. Payment of Fee	e(s):				
□ Publication Fee □ Advance Order - # of Copies □ The Commissioner is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number	☐ Issue Fee			A check in the a	mount of	the fee(s) is enclosed.			
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interest as shown by the records of the United States Patent and Trademark Office.  Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary					Vary				
depending on the needs of the individual case. Any comments on the amount of time required to complete this form should be sent to the Chief Information Officer, United States Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND FEES AND THIS FORM TO: Box Issue Fee, Assistant Commissioner for Patents, Washington, D.C. 20231	depending on the needs to complete this form and Trademark Office, FORMS TO THIS A	of the individual case. should be sent to the C Washington, D.C. 2023 DDRESS. SEND FEE	Any comments on the a hief Information Office 31. DO NOT SEND FE S AND THIS FORM	mount of time real	nired				

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/523,407 03/10/2000		David H Straayer	18513-13-1	4644	
7590 03/08/2002			EXAMINI	ER	
Charles J Kulas			LEWIS, DAVID LEE		
Townsend and Tov Two Embarcadero	wnsend and Crew LLP Center	ART UNIT	PAPER NUMBER		
8th Floor	04111		2673		
San Francisco, CA UNITED STATES		DATE MAILED: 03/08/2002			

# Determination of Patent Term Extension under 35 U.S.C. 154 (b) (application filed after June 7, 1995 but prior to May 29, 2000)

The patent term extension is 0 days. Any patent to issue from the above identified application will include an indication of the 0 day extension on the front page.

If a continued prosecution application (CPA) was filed in the above-identified application, the filing date that determines patent term extension is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) system. (http://pair.uspto.gov)

## Notice of Allowability

Application No. 09/523,407

Straayer et al.

Examiner

David L Lewis

Art Unit 2673



--The MAILING DATE of this communication appears on the cover sheet with the correspondence address-All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308. 1. X This communication is responsive to 12/21/2001 2. X The allowed claim(s) is/are 5-8 3. X The drawings filed on are acceptable as formal drawings.

4. Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

Nigne of the:

1. Certified copies of the priority documents have been received.

2	2. Certified copies of the priority documents have been received in Application No.
(	3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
*Cert	ified copies not received:
5. 🗀 A	cknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

reason(s) why the oath or declaration is deficient. A SUBSTITUTE DATH OR DECLAR	ATION IS REQUIRED.
7. Applicant MUST submit NEW FORMAL DRAWINGS	
(a) $\square$ including changes required by the Notice of Draftsperson's Patent Drawing Review (	PTO-948) attached
1)  hereto or 2)  to Paper No	
(b) including changes required by the proposed drawing correction filed	, which has been

6. 
Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION (PTO-152) which gives

(c) [] including changes required by the attached Examiner's Amendment/Comment or in the Office action of

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

8. 
Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any reply to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

Attach	ment(s)
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a) 🛄 All

b) Some\*

approved by the examiner.

c)

Attachment(s)	
1 🗓 Notice of References Cited (PTO-892)	2
3 Notice of Draftsperson's Patent Drawing Review (PTO-948)	4
5 Information Disclosure Statement(s) (PTO-1449), Paper No(s).	6
7	8

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4	Interview	Summary (PTO-413), Pag	oer No	

6	Examiner's	Amendment/Comment

8 🔀 Examiner's Statement of Reasons for All	owance
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9 Other

Page 2

Serial Number: 09/523, 407

Art Unit: 2673

166 · "

Applicant: Straayer et al.

Title: Auto-Calibration Of Pointing Devices Used In A Computer User Interface

**REASONS FOR ALLOWANCE** 

1. The following is an examiner's statement of reasons for allowance: As pointed out by the

Applicant in the response filed on 12/21/2001, certain key features of the claimed invention are not

taught or fairly suggested by the prior art of record. Specifically, the feature comprising an

autocalibration technique for a contact to sensor surface type pointing device. Because non of the

prior art teaches or suggests this element, this feature, taken together with the other limitations of the

claims, renders the claims allowable over the prior art. Zimmerman et al. includes an autocalibration

technique but fails to teach of said contact to the sensor surface produced by a pointer as claimed,

and Schrum et al. which teaches of said sensor surface contact is disclosed by the same assignees the

applicant.

Any comments considered necessary by applicant must be submitted no later than the payment of the

issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions

should be clearly labeled "Comments on Statement of Reasons for Allowance."

2. Any inquiry concerning this communication or earlier communications from the examiner

should be directed to David L. Lewis whose telephone number is (703) 306-3026.

BIPIN SHALWALA
SUPERVISORY PATENT EXAMINER

TECHNOLOGY CENTER 2600

Examiner: David L. Lewis

March 6, 2002